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UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Masayuki HOSHINO, et al. ATTN: Box Missing Parts

Application No.: 09/936,297

Filed: September 12, 2001

For: INTERMITTENT CALIBRATION APPARATUS

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 1.371, dated November 15, 2001, attached are copies of papers filed on October 24, 2001, including the Declaration.

Prompt issuance of a filing receipt is respectfully requested.

Respectfully submitted,

James E. Ledbetter  
Registration No. 28,732

Date: November 26, 2001

JEL/ejw

Attorney Docket No. L9289.01181  
STEVENS DAVIS MILLER & MOSHER, L.L.P.  
1615 L STREET, NW, Suite 850  
P.O. Box 34387  
WASHINGTON, DC 20043-4387  
Telephone: (202) 785-0100  
Facsimile: (202) 408-5200

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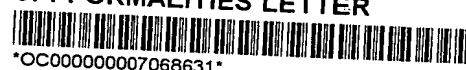
Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
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U.S. APPLICATION NUMBER NO. 09/936,297	FIRST NAMED APPLICANT Masayuki Hoshino	ATTY. DOCKET NO. L9289.01181
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INTERNATIONAL APPLICATION NO. PCT/JP01/00119	
I.A. FILING DATE 01/12/2001	PRIORITY DATE 01/17/2000

James E. Ledbetter  
 Stevens Davis Miller & Mosher  
 1615 L. Street, N.W.  
 Suite 850  
 Washington, DC 20036

CONFIRMATION NO. 2432  
 371 FORMALITIES LETTER



\*OC000000007068631\*

Date Mailed: 11/15/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Request for Immediate Examination

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RESPONSE DUE 1/15/02  
 DOCKETED DATE 11/20/01  
 BY DR

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

PATRICIA A BOOKER

Telephone: (703) 305-3738

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/936,297	PCT/JP01/00119	L9289.01181

FORM PTO-1390 (Modified)  
(REV. 11-2000)

U.S. DEPT. OF COMMERCE PATENT AND TRADEMARK OFFICE

INVENTOR'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

L9289.01181

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR  
09/936,297INTERNATIONAL APPLICATION NO.  
PCT/JP01/00119INTERNATIONAL FILING DATE  
January 12, 2001PRIORITY DATE CLAIMED  
January 17, 2000

TITLE OF INVENTION

INTERMITTENT CALIBRATION APPARATUS

APPLICANT(S) FOR DO/EO/US

Masayuki HOSHINO, Kazuyuki MIYA, and Katsuhiko HIRAMATSU

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☐ Other items or information:

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U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492(a)(1)) <b>09/936,297</b>	INTERNATIONAL APPLICATION NO. <b>PCT/JP01/00119</b>	ATTORNEY'S DOCKET NUMBER <b>L9289.01181</b>
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24. The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1040.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$890.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$740.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$710.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>  <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;"></td> <td style="width:50%;"></td> </tr> <tr> <td style="text-align: right;"><b>\$0.00</b></td> <td></td> </tr> <tr> <td style="text-align: right;"><b>\$130.00</b></td> <td></td> </tr> </table>				<b>\$0.00</b>		<b>\$130.00</b>	
<b>\$0.00</b>											
<b>\$130.00</b>											
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				<b>\$130.00</b>							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE								
Total claims	- 20 =	0	x \$18.00	<b>\$0.00</b>							
Independent claims	- 3 =	0	x \$84.00	<b>\$0.00</b>							
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>							
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$130.00</b>							
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				<b>\$0.00</b>							
<b>SUBTOTAL =</b>				<b>\$130.00</b>							
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				<b>\$0.00</b>							
<b>TOTAL NATIONAL FEE =</b>				<b>\$130.00</b>							
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input checked="" type="checkbox"/>				<b>\$40.00</b>							
<b>TOTAL FEES ENCLOSED =</b>				<b>\$170.00</b>							
				Amount to be: refunded	\$						
				charged	\$						

- a. ☒ A check in the amount of **\$170.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **19-4375**. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:  <b>James E. Ledbetter, Esq.</b> <b>STEVENS, DAVIS, MILLER &amp; MOSHER, LLP</b> 1615 L Street, N.W., Suite 850 Washington, DC 20036 Tel: 202-785-0100 Fax: 202-408-5200	<div style="text-align: center;">         SIGNATURE     </div> <div> <b>James E. Ledbetter</b>        NAME  <b>28,732</b>        REGISTRATION NUMBER  <b>October 24, 2001</b>        DATE     </div>
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